



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,859	04/10/2001	Umesh Amin	12177/28302	6957

23838 7590 10/04/2005

KENYON & KENYON
1500 K STREET NW
SUITE 700
WASHINGTON, DC 20005

EXAMINER

NGUYEN, LEE

ART UNIT	PAPER NUMBER
----------	--------------

2682

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,859

Applicant(s)

AMIN ET AL.

Examiner

LEE NGUYEN

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) 4-6 and 21-38 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-17 and 39-50 is/are allowed.
- 6) ☒ Claim(s) 1-3, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the communication filed 09/17/2004.

Election/Restrictions

1. Claims 4-6, 21-38 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions and species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/26/2004. Claims 1-20, 39-50 remained in prosecution.

Terminal Disclaimer

2. The terminal disclaimer filed on 4/21/2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent 6,256,518 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Amendment

3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive according to the Notice of Panel Decision from Pre-Appeal Brief Review issued on 09/02/2005, and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Cash (US 5,729,197).

Regarding claim 1, Cash teaches a system to provide power to a communications unit (satellite pager, col. 9, lines 29-32), the system comprising: a first communications network (satellite network, col. 9, line 45) to engage in communications with the communications unit; and a second communications network (telephone transmission line) to provide a normal operating power to the communications unit (col. 9, lines 58-61).

Regarding claim 2, Cash also teaches that that the first communications network comprises a wireless communications network (satellite network, col. 9, line 45), and the second communications network unit comprises a local exchange carrier network (telephone transmission line, col. 9, line 31).

Regarding claim 3, Cash also teaches that the communications unit comprises a fixed wireless communications unit (satellite pager, col. 9, line 31).

Art Unit: 2682

5. Claims 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Pedigo (U.S. Patent 4,995,072).

Regarding claim 18, Pedigo teaches a method for providing power to a fixed wireless communications unit (figs. 1a-1b), the fixed wireless communications unit including a fixed wireless base station (col. 3, line 11), the method comprising: coupling the fixed wireless communication unit to a landline receptacle unit 102 (fig. 1a), the landline receptacle unit 102 coupled to a local exchange carrier via a landline (col. 3, lines 11-15); supplying power to the landline receptacle unit (col. 4, line 65 through col. 5, line 12); and receiving wireless communications from the fixed wireless communications unit (col. 3, lines 62-65).

Regarding claim 19, Pedigo also teaches that the fixed wireless communications unit is charged by receiving power from the landline (col. 2, lines 3-5).

Allowable Subject Matter

6. Claims 7-17, 39-50 are allowed.

Regarding claims 7, 14, 39, 44 and 50, the prior art of record fail to teach the limitation as described in Applicant's remarks.

Art Unit: 2682

7. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 20, the prior art of record fail to teach the limitation as described in Applicant's remarks.

Response to Arguments


8. Applicant's arguments with respect to claims 1-3, 18-19 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is 571-272-7854. The examiner can normally be reached on FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on 571-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2682

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 9/20/05
LEE NGUYEN
PRIMARY EXAMINER